



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Pierre CAROL et al.

Group Art Unit: 1638

Application No.: 09/807,867

Examiner: R. Kallis

Filed: June 15, 2001

Docket No.: 109326

For: cDNA SEQUENCE TRANSCRIBING AN mRNA ENCODING THE TERMINAL
OXIDASE ASSOCIATED WITH CAROTENOID BIOSYNTHESIS, AND USES
THEREOF

**NOTICE OF APPEAL TO THE BOARD OF PATENT APPEALS
AND INTERFERENCES AND PETITION FOR EXTENSION OF TIME**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the Decision of
the Primary Examiner dated December 17, 2003.

The \$330.00 Appeal Fee (\$165.00 Small Entity) is:

XX Enclosed (our Check No. 155165)

 Not required (fee paid in prior appeal in this
application with no Board Decision on the merits).

The shortened statutory period having expired March 17, 2004, it is hereby requested that the
period for response be extended for 3 months. In addition, enclosed is check #155166 in the amount of
\$950 in payment of the fee for a 3 month extension of time for filing this Notice of Appeal.

The Commissioner is hereby authorized to charge any fees which may be required or credit any
overpayment to Deposit Account No. 15-0461. Two duplicate copies of this document are enclosed.

Respectfully submitted,

William P. Berridge
Registration No. 30,024

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Registration No. 40,085

06/22/2004 HVUONG1 00000058 09807867

01 FC:1401 330.00 OP

06/22/2004 HVUONG1 00000058 09807867

02 FC:1253 950.00 OP

WPB:MLM/jam

Date: June 17, 2004

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